

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

DATE: 9/12/2017

DISTRICT JUDGE

COURT REPORTER: Jan Mason

Amos L. Mazzant, III

COURTROOM DEPUTY: Debbie McCord

Tech Pharmacy vs. Alixa, et al	4:15cv766

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANTS
Jennifer Fleury, Mike Jones, Cristina Rodriguez, Maria Boyce, Jeff Whittle, Jay Yates; Tara Trask (Paralegal); Jim Moncrief (Corp. Rep)	Wes Hill, Brett Johnson, Tom Melsheimer, Renee Skinner, Danielle Williams, Michael Bittner, Blake Griese, Ron Silva, Larry Deans, Pam Roberts

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: JURY TRIAL - DAY 13
8:37 am	Court is in session. Court addressed some charge issues.
	Court heard from Plaintiff's counsel regarding judgment as a matter of law and objections to jury instructions.
	Ms. Lerner presented objections for Defendants.
8:58 am	Mr. Johnson presents objections.
8:59 am	Court in recess for short break.
9:11 am	Court in session, jury seated.
9:13 am	Plaintiff closing by Ms. Boyce.
10:02 am	Defense closing by Mr. Melsheimer.
10:48 am	Defense closing by Mr. Hill.
11:04 am	Rebuttal closing by Ms. Boyce.
11:14 am	Jury and Court in recess for break.
11:28 am	Court in session, jury seated. Court reads instructions to the jury.

TIME:	MINUTES: JURY TRIAL - DAY 13
	Bench conference.
12:50 pm	Some minor corrections made to instructions.
12:51 pm	Court finishes reading the instructions.
12:54 pm	Court in recess for jury deliberations.
2:18 pm	Court in session. Court read Jury Note number 1, appointing foreperson. Court read Jury Note number 2 and prepared response.
2:20 pm	Court in recess.
5:07 pm	Court in session, Juror Note #4.
5:09 pm	Jury seated.
5:10 pm	Bench conference.
5:11 pm	Court publishes verdict: #1 - no; #2 - 0; #3 - yes, yes, yes; #4 - \$15 million; #5 - no, no, no; #6 - 0; #7 - no; #8 - no; #9 - no; #10 - not answered; #11- no; #12 - N/A; #13 - no for all claims; #14 - no for all claims; #15 - no damages.
5:14 pm	Jury individually voir dired.
5:15 pm	Bench conference.
5:17 pm	Jury in recess, to return at 9:00 a.m. tomorrow.
	10 minutes for opening, 15 minutes for closing.
5:20 pm	Court will file verdict, in recess.

DAVID O'TOOLE, CLERK

BY: Debbie McCord
Courtroom Deputy Clerk